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Attorney's Docket No.: 06129-156001

AF/3728/4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kevin H. Gillespie
Serial No. : 09/458,415
Filed : December 10, 1999
Title : SHOE OUTSOLE

Art Unit : 3728
Examiner : Anthony D. Stashick

BOX AF

Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from action dated May 23, 2002, final rejection of claims 1-8 and 47-76.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 1 month(s) to and including August 23, 2002 is enclosed.

A check in the amount of \$320 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

August 23, 2002

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

August 23, 2002

Signature

Celia H. Leber
Celia H. Leber

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E. J. Smith
9/10/02